

President Donald J. Trump  
The White House  
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As you've acknowledged, the Paris Climate Treaty is a bad deal for America. We write to express our serious concerns with recent proposals that the United States remain a participant in Paris with a lower commitment. We encourage you instead to leave the treaty and consider removing the U.S. from the underlying UN Framework Convention on Climate Change.

When the Obama administration filed its acceptance of the Paris Climate Treaty, the United States became a formal party to it with all of the roles and legally-binding responsibilities that it entails. In support of the treaty, the Obama administration pledged a 26 to 28 percent reduction in net U.S. greenhouse gas emission by 2025, compared to a 2005 baseline. This target was unrealistic, and as recent studies by NERA Economic Consulting and the Energy Information Administration show, achieving it would negatively impact our economy and jobs, particularly in the manufacturing industry. In the meantime, some of the world's largest emitters like China, India, and Russia have promised to do next to nothing through 2030.

Remaining in the treaty would reward the Obama administration's open defiance of constitutional norms. Throughout the entire negotiating process, it sought no Congressional input, either in regard to the emissions goal or to the treaty itself. In fact, then-Secretary of State John Kerry brazenly coordinated with the French government to "Senate proof" the agreement in order to bypass Congressional scrutiny, even though it requires the United States every five years to make increasingly stringent emissions pledges with far-reaching economic consequences. Indeed, because the Paris Agreement sets the broad outlines of U.S. climate policy in perpetuity and calls for billions of dollars in assistance, it should have been approved by Congress.

It has been suggested that instead of withdrawing from the treaty, your administration should keep the United States within it and submit a new, less onerous emissions pledge. Such an approach would undermine the progress of your energy and manufacturing agenda by unintentionally gifting future administrations a powerful tool to pursue an economy-wide carbon tax.

Not satisfied with stretching the meaning of Section 111 of the Clean Air Act beyond all recognition to ram through its unlawful Clean Power Plan, liberal activists and lawyers assert that the Paris climate agreement grants EPA the authority found in a previously unused provision of that statute, Section 115, to regulate practically all aspects of the U.S. economy, not just the electricity sector. The Center for American Progress laid this all out in "How the Paris Climate Agreement Supercharges the Clean Air Act," [<https://thinkprogress.org/how-the-paris-climate-agreement-super-charges-the-clean-air-act-d7220e399833#.3nhri5eki>>] and the Sierra Club's former chief climate counsel calls the Paris agreement a "silver bullet" [<http://www.eenews.net/greenwire/stories/1060038727/>>] that environmentalists could use to impose massive new job-killing rules. If the United States remains a part of the Paris Agreement,

regardless of what the U.S. pledge is, this silver bullet will be available for special interest groups and a future Democratic administration to justify all sorts of regulatory overreaches.

It is also likely that well-funded environmental groups will use the courts to compel your administration to uphold the provisions of the Paris deal. With the courts now stacked with Obama-era appointees, it is entirely possible these claims, no matter how far-reaching, will get a hearing.

Despite claims to the contrary, getting out of the Paris deal would not require the United States to relinquish its seat on the Green Climate Fund. This fund acts as the Financial Mechanism of the UNFCCC and was set up years before the Paris Agreement, so exiting the accord would not prevent us from exercising our power to veto any projects that waste taxpayer money and make it harder for developing countries to increase energy access for their people.

Finally, getting out of Paris would be a significant step forward in achieving your goal to make America energy independent, as well as fulfilling your promise to American miners to stop the Obama administration's significant regulatory overreaches.

Mr. President, you have already shown you are willing to override the harmful excesses of the previous administration, and withdrawing the United States from the Paris Climate Treaty is another step forward on this front. It is a bad deal for America that will cost our country millions of taxpayer dollars, countless jobs, and the competitive edge that we need to grow our economy. For all these reasons, we respectfully call on you to remove the U.S. from the Paris Agreement.